

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALEATRICE THOMAS,
Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

No. 1:20-cv-01758-NONE-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION AS DUPLICATIVE AND
DENYING PLANTIFF'S MOTION TO
PROCEED IN FORMA PAUPERIS AS
MOOT

(Doc. Nos. 1, 2, 3)

On December 11, 2020, plaintiff Aleatrice Thomas filed this action appealing the final decision of the Commissioner of Social Security's denial of Social Security benefits. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 15, 2020, the magistrate judge filed a findings and recommendations recommending that this action be dismissed as duplicative of *Thomas v. Commissioner of Social Security*, No. 1:20-cv-01723-SAB (E.D. Cal.), and that her application to proceed *in forma pauperis* be denied as moot. (Doc. No. 3.) The findings and recommendations were served on plaintiff and contained notice that any objections were to be filed within thirty days from the date of service. The period for filing objections has passed and no objections have been filed.

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In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations, filed December 15, 2020 (Doc. No. 3), are ADOPTED IN FULL;
2. This action is DISMISSED as duplicative of *Thomas v. Commissioner of Social Security*, No. 1:20-cv-01723-SAB (E.D. Cal.);
3. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is DENIED as moot; and
4. The Clerk of the Court is DIRECTED to assign a district judge to this case for the purposes of closure and then close this case.

IT IS SO ORDERED.

Dated: **January 21, 2021**

Dale A. Droyd